

NOV - 4 2013

CLERK, U.S. DISTRICT COURT
By Deputy

12:04 PM

EDDIE LEE JOHNSON
(TARRANT CID#0335901)

§

§

§

VS.

§

§

OFFICER VAZQUEZ, et al.

§

CIVIL NO. 4:13-CV-242-A (B.J.)

PLAINTIFF'S MOTION OF REQUEST FOR EXTENSION
OF TIME IN THE ABOVE PROCEEDINGS IN
FINDINGS, CONCLUSION AND RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE AND NOTICE AND ORDER

TO THE HONORABLE UNITED STATES MAGISTRATE JUDGE OF SAID COURT:

NOW COMES EDDIE LEE JOHNSON (TARRANT#0335901), PLAINTIFF IN THE ABOVE
ENTIRE PLAINTIFF'S MOTION OF REQUEST FOR EXTENSION OF TIME IN THE ABOVE
PROCEEDINGS IN FINDINGS, CONCLUSION AND RECOMMENDATION OF THE UNITED
STATES MAGISTRATE JUDGE AND NOTICE AND ORDER, AND PLAINTIFF WILL
SHOW GOOD CAUSE IN THE FOLLOWING MOTION REQUESTED.

I

A. PLAINTIFF IS INDIGENT

JOHNSON WHO IS AN INDIGENT INMATE WHO DOESN'T MAKE COMMISSARY
PURCHASES IN TARRANT COUNTY JAIL. THEREFORE, HE MUST RELY UPON THE
JAIL TO HELP HIM OBTAIN WRITING SUPPLIES. PLAINTIFF, EDDIE LEE JOHNSON
REQUESTED OCTOBER 22, 2013, - THREE EXTRA ENVELOPES AND TWENTY FIVE (25)
EXTRA SHEETS OF WRITING PAPER. JOHNSON THE PLAINTIFF REFERRED ORDER
TO INDIGENT SUPPLIES OF TARRANT COUNTY JAIL, STATED LEGAL AND REASON
FOR HIS USE. INDIGENT SUPPLIES MADE IT TO JOHNSON ON OCTOBER 24,
2013. THE FULL REQUEST WAS NOT FILLED WITH HIS ORDER OF SUPPLIES (HE)
JOHNSON ONLY RECEIVED THREE (3) ENVELOPES AS REQUESTED AND TEN
(10) SHEETS OF PAPER. WHEN HE ORDER (25) SHEETS OF WRITING PAPER?
JOHNSON STATES, WITHOUT THE CORRECT AMOUNT OF WRITING PAPER COPIES WILL NOT

BE MADE FOR DEFENDANT'S IN THIS CASE.

B. LEGAL ARGUMENT TO THE FINDING, CONCLUSION AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE AND NOTICE AND ORDER.

THE PLAINTIFF, EDDIE LEE JOHNSON #0235907 HAS BEEN PLACED IN AN ISOLATION CELL ON OCTOBER 15, 2013, FOR FRIVOLOUS PROCEEDINGS IN DISCIPLINARY HEARINGS, WHERE FELT THERE WAS NO NEED FOR HIM TO ATTEND. JOHNSON HAD NOT VIOLATED ANY RULES OF THE TARRANT COUNTY SHERIFF'S DEPARTMENT CONFINEMENT BUREAU "INMATE'S HANDBOOK". THE DISCIPLINARY COMMITTEE FOUND - JOHNSON GUILTY OF SECTION E:3 FIGHTING OR ASSAULTING ANOTHER INMATE OR OFFICER OR STAFF AND OF OFFICER'S REPORT (SHE) OFFICER ARY WROTE AND SERVED ON ME HER OWN WRITTEN DISCIPLINARY REPORT. THIS WOULD MAKE IT IMPOSSIBLE IN JOHNSON FIFTH AMENDMENT, WHERE JOHNSON WOULD BE A WITNESS AGAINST HIMSELF. THEN THE NEXT VIOLATION WOULD BE JOHNSON SIX (6) - AMENDMENT, IN WHICH IT HAS BEEN ABRIDGED WHEN DENYING JOHNSON THE RIGHT TO BE CONFRONTED WITH THE WITNESSES AGAINST HIM. WHERE JOHNSON HAS BEEN ADMINISTERED 15 FULL DAYS OF RESTRICTION - WITH NO GYM AND RECREATIONAL TIME OUT OF HIS CELL. JOHNSON IS CONFINED TO AN ISOLATION FOR OVER 24 HOUR PER DAY. THE ONLY WAY JOHNSON IS OR WOULD BE ALLOWED OUTSIDE HIS CELL, IT WOULD BE FOR MEDICAL AND COURT. - BECAUSE OF THE FRIVOLOUS DISCIPLINARY HEARINGS PROCEEDINGS, JOHNSON PLAINTIFF IS SUFFERING CRUEL AND UNUSUAL PUNISHMENT OF EMOTIONAL AND MENTAL STRESS.

C. LEGAL ASSISTANCE AND RESEARCH

EDDIE LEE JOHNSON #0235907 (TARRANT), PLAINTIFF STATES BEING - CONFINED UNDER THE FOLLOWING CONDITIONS AND CIRCUMSTANCES. HE'S BEEN UNABLE TO PREPARE FOR COURTS AND DEFENDANT'S. ANY PAPER OR FILE ANY OF THE MEANINGFUL LEGAL DOCUMENTS. THAT THE UNITED STATES MAGISTRATE JUDGE STATES IN FINDINGS, CONCLUSION AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE AND NOTICE AND ORDER.

WHEREAS BEING WITHOUT GENERAL POPULATION PRIVILEGES TO -

PHYSICALLY ATTEND LAW LIBRARY, AND THEREFORE, WOULD HAVE SOMEONE ME.
I'M NOT PROVIDE ACCESS TO ADEQUATE LAW LIBRARIES OR ADEQUATE ASSE-
STANCE FROM PERSON TRAIN IN THE LAW. HERE'S ANOTHER "FUNDAMENTAL CON-
STITUTIONAL RIGHT OF JOHNSON ACCESS TO THE COURTS VIOLATED."

PRAYER

WHEREFORE, PREMISES, CONSIDER, PLAINTIFF PRAYS THE UNITED STATES
DISTRICT COURT MAGISTRATE JUDGE GRANT PLAINTIFF'S MOTION OF REQUEST
FOR EXTENSION OF TIME IN THE ABOVE PROCEEDING IN FINDINGS, CONCLUSION
AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE NOTICE
AND ORDER.

UNSWORN DECLARATION

I, EDDIE LEE JOHNSON, (TARRANT #0235907), PLAINTIFF PRAYS OR BEING PRE-
SENTLY INCARCERATED IN THE TARRANT COUNTY JAIL IN TARRANT COUNTY, TEXAS.
DO HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE AND DOCU-
MENT FOREGOING IS TRUE AND CORRECT.

EXECUTED ON OCTOBER 25, 2013.

I, EDDIE LEE JOHNSON, HEREBY CERTIFY THAT ON OCTOBER 25, 2013, I HAVE NOT
FORWARD A COPY OF THE FOREGOING DEFENDANT'S AT THE ADDRESS OF -
TARRANT COUNTY JAIL, 100 NORTH LAMAR STREET, FORT WORTH TEXAS 76102, FOR THE
FOLLOWING REASON OR REASONS STATED THEREIN THIS DOCUMENT.

EDDIE LEE JOHNSON #0235907
Eddie Lee Johnson #0235907
TARRANT COUNTY JAIL
100 NORTH LAMAR STREET
FORT WORTH, TEXAS 76102
OCTOBER 25, 2013.

ORDER

ON THIS 11TH DAY OF NOVEMBER, 2013, CAME TO BE -
PLAINTIFF'S MOTION OF REQUEST FOR EXTENSION OF TIME IN THE
ABOVE PROCEEDINGS IN FINDINGS, CONCLUSION AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE NOTICE AND ORDER -
IN THIS COURT, THAT THIS MOTION SHOULD BE GRANTED
DENIED.

UNITED STATES MAGISTRATE JUDGE

U.S. DIST. CT. OF TEX.
FT. WORTH DIVISION

2013 NOV -4 PM 12:04

CLERK OF COURT

MAIL

ADDIE LEE JOHNSON #1235907
4400 N. LAMAR STREET
FORT WORTH, TEXAS 76102

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CLERK OF THE U.S. DISTRICT COURT
501 W. TENTH ST. RM. 310
FT. WORTH, TX 76102

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